

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICHARD ELDEN, GAIL M. ELDEN and :
THOMAS ELDEN, :
Plaintiffs, : Index No. 08-8738 (RJS)
:
v. :
: JUDGMENT
MERRILL LYNCH & CO., INC., MERRILL :
LYNCH, PIERCE, FENNER & SMITH :
INCORPORATED AND JPMORGAN CHASE :
BANK, N.A., :
Defendants. :
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This action having come before the Court on the Motions for Summary Judgment of Plaintiffs Richard Elden and Gail M. Elden (the “Eldens”) and Defendant Merrill Lynch, Pierce, Fenner & Smith Incorporated (“Merrill Lynch”), and the Honorable Richard J. Sullivan having granted partial summary judgment to the Eldens in an Opinion and Order, dated March 30, 2011:

It is Ordered that Plaintiffs the Eldens recover from Defendant Merrill Lynch the amount of \$233,291.61, plus pre-judgment interest at New York State’s statutory rate of 9%, amounting to \$133,665.04, for a total amount of \$366,956.65, and post-judgment interest pursuant to 28 U.S.C. § 1961.

So Ordered:

The Hon. Richard J. Sullivan

Ruby J. Krajick, Clerk of Court

Dated: April __, 2011